IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7445 OF 2006

Eagle Industrial Services Pvt. Ltd. ... Petitioner

Vs.

The State of Maharashtra & Anr. ... Respondents

Mr. K.S. Bapat for the petitioner.

Mr. V.P. Malvankar, A.G.P. for the State.

CORAM : SMT. RANJANA DESAI & V.M. KANADE, JJ.

DATED : 29TH NOVEMBER, 2006.

P.C.:-

1. Rule. By consent, heard forthwith.

2. After hearing the counsel for the parties and the learned Associate Advocate General, these petitions can be disposed of by issuing the following directions :

(i) The impugned order in this petition inasmuch as no reasons have been given as required by the proviso to section 23 is quashed and set aside in respect of the petitioner agency whose notification has not expired.

(ii) It will be open to the State Government, if so advised,

after giving notice to the petitioner to pass fresh and appropriate orders according to law.

(iii) Needless to say that all contentions are left open for consideration.

(iv) Any consequential action taken based on the order which is now quashed is also consequently set aside. It is, however, made clear that after hearing the parties, if the Government passes an order and issues further directions that may be subject to the independent challenge by the persons who are aggrieved.

(v) It will be open to the State Government to issue appropriate show cause notice within four weeks from today and to complete the procedure thereafter within eight weeks from today.

3. Rule made absolute accordingly. No order as to costs.

[SMT. RANJANA DESAI, J.]

[V.M. KANADE, J.]